

**VILLAGE OF WESTON
NOTICE OF PUBLIC HEARING**



NOTICE IS HEREBY GIVEN that a public hearing will be held before the Village of Weston Plan Commission, at 6:00 p.m., or shortly thereafter, on Monday, October 14, 2024, at the Weston Municipal Center, 4747 Camp Phillips Road, Weston, WI 54476, to take testimony relative to the following:

Project #20240269 - Kevin Ostrowski, of 6304 Hubert Avenue, requesting a conditional use permit at 6304 Hubert Avenue, to allow for the construction of a 1,280 square foot accessory building, that is 18 feet tall, for personal use, within the SF-L (Single-Family Residential – Large Lot) Zoning District, where the maximum allowed accessory building size within the SF-L District is 1,000 square feet, and the height 15 feet.

The property is described as Lot 4, of Pine Ridge Estates, Part of the SE 1/4, of the NW 1/4, of Section 10, Township 28 North, Range 08 East, Village of Weston, Marathon County, WI. Total parcel area consists of 1.32 acres and is addressed as 6304 Hubert Avenue.

Project #20240290 – Scott Sann, Turf MD's, 5408 Westfair Avenue, #4-5, requesting a conditional use permit at 5408 Westfair Avenue, Suite #4-5, to allow for a Light Industrial Land Use within property zoned B-3 (General Business) and WHP-A (Wellhead Protection – Zone A) Overlay District, where such land use is only permitted through the granting of a Conditional Use Permit. (Project #20240290)

The property is described as Lot 2 of CSM #16835, Vol. 79, Pg. 36, Document #1672395, Part of the SE 1/4, of the SE 1/4, of Section 16, Township 28 North, Range 08 East, Village of Weston, Marathon County, WI. Total parcel area consists of 1.007 acres, and is addressed as 5408 Westfair Avenue, Suites #4-5.

Project #20220392 – Jeff Nowak, of Ryan Street Rentals, 1100 West Street, Suite 100, Wausau, requesting an amendment to Conditional Use Permit #20220392, at 6508 Ryan Street, to amend the project phasing timeline for the continued construction of a personal storage facility, within the LI (Limited Industrial) Zoning District.

The property is described as Part of the SW 1/4, of the NE 1/4, of Section 22, Township 28 North, Range 08 East, Village of Weston, Marathon County, WI. Total parcel area consists of 4.875 acres, and is addressed as 6508 Ryan Street.

The hearing notice with application materials are available for public inspection on the Village of Weston website located at <http://westonwi.gov/421/Public-Hearing-Notices>.

Written testimony submitted by noon on the date of the hearing to the Village of Weston Plan Commission, Valerie Parker, Plan Commission Secretary, 4747 Camp Phillips Road, Weston, WI 54476, or emailed to vparker@westonwi.gov, will be brought to the hearing and entered into the hearing record.

All interested persons wishing to provide oral or written testimony during the Public Hearing will be given an opportunity to be heard.

Any person with questions or planning to attend needing additional special accommodation in order to participate, should call Valerie Parker, Planning Technician, Planning and Development Department, at 715-241-2607.

Dated this 26 day of September 2024

Valerie Parker
Plan Commission Secretary

REQUEST FOR CONSIDERATION

Public Mtg/Date:	Plan Commission, October 14 th , 2024.
Description:	Project #20240290 – Scott San, dba Turf MD’s, at 5408 Westfair Avenue, Suites 4 and 5, PIN 192-2808-164-0149, requesting a Conditional Use Permit to allow for a Light Industrial land use within the B-3 (General Business) and WHP-A (Wellhead Protection – Zone A) Overlay District
From:	Carrie Edmondson, Associate Planner Jennifer Higgins, Planning and Development Director
Question:	Should the Plan Commission approve the Conditional Use Permit application as requested by Scott Sann dba Turf MD’s to allow for a Light Industrial land use within the B-3 (General Business) District and WHP-A (Wellhead Protection – Zone A) Overlay District

BACKGROUND

Scott Sann is proposing to lease Suites 4 and 5 at 5408 Westfair Avenue where he would serve as owner/operator of Turf MD’s. The combined suite area is approximately 5,500 square feet in size. Turf MD’s provides landscape and hardscape maintenance services and snow removal services to area businesses and residences. They operate from 7:00 a.m. to 5:00 p.m. Monday through Friday. They have contractor equipment including two dump trucks, trucks, trailers, a skid-steer loader, and associated landscape contractor materials. The business employs eight employees year-round and six employees seasonally. No outdoor storage is proposed.

Wellhead Protection

All fertilizers and chemicals will be stored indoors. The building contains a concrete floor and adequate structural components to account for safe storage. Therefore, no wellhead protection concerns exist.

Parking

The site includes of 27 parking spaces which include 14 striped surface spaces, 5 parallel spaces, and 8 indoor parking spaces. One accessible space meeting ADA requirements also exists onsite. The existing use mix can be seen on the table below:

Business	Land Use	Size/Employees	Parking Required
Woodstock Hardwood Flooring	Indoor Sales or Service	1/300 square feet	17 (Plan Commission can reduce to 5)
Live Wire	<i>In processing</i>	2 employees	2
Turf MD’s	Light Industrial	14 employees	14
Total:			21

Woodstock Hardwood Flooring is not a high-volume customer based business. The Zoning Code does allow the Site Plan Review Authority to reduce the amount of required parking to 25% of the normally required minimum. This would bring that amount of required parking to 5 spaces. We are currently awaiting a Zoning Permit for Live Wire, but reportedly they have two employees. Therefore, a total of 21 parking spaces are required. This requirement is met by the 27 non-ADA parking spaces provided.

REQUEST FOR CONSIDERATION

Turf MD's does have an array of work vehicles. However, likely when employee vehicles are parked on site those vehicles go out on job sites and vice versa. Therefore, after analysis, staff has determined that adequate parking exists onsite.

Landscape Material Storage

There are no materials associated with the business permitted to be stored outside. This is due to the fact that there is not adequate space outside of the building to accommodate this storage. Therefore, a condition has been added prohibiting outdoor storage of materials.

In summary, staff is recommended approval with conditions.

Attached Docs: Plans, project narrative, CUP supplemental questions, draft resolution.

Committee Action: N/A

Fiscal Impact: N/A

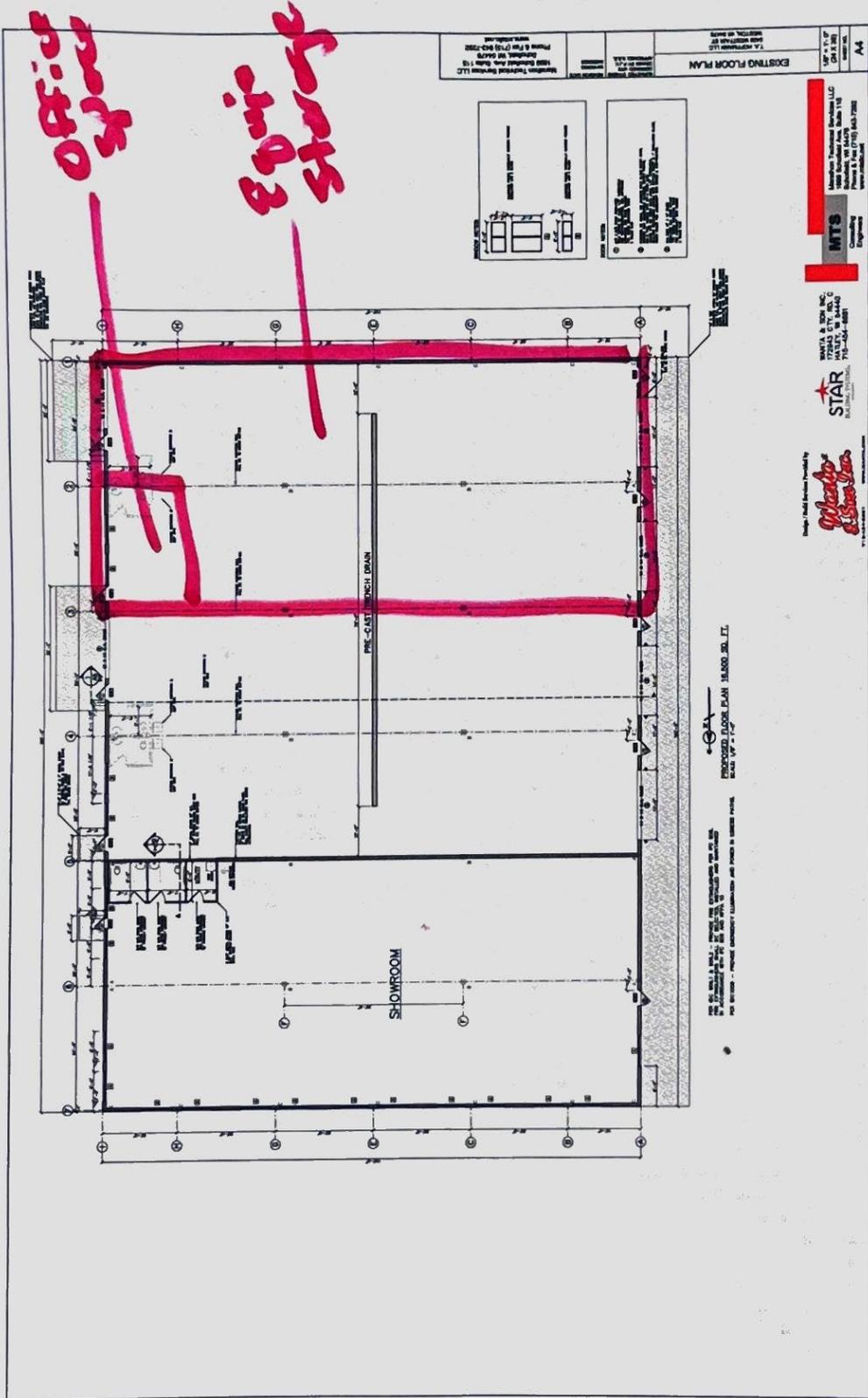
Recommendation: Staff recommends approval of the Conditional Use Permit.

RECOMMENDED LANGUAGE FOR OFFICIAL ACTION

I move to [approve / deny] Conditional Use Permit #20240290, allowing Scott Sann, dba Turf MD's, to operate for a Light Industrial land use within the B-3 (General Business) District and WHP-A (Wellhead Protection – Zone A) Overlay District

ADDITIONAL ACTION: Notify applicant of [Approval / Denial] [Staff]

If approved, record CUP with the Marathon County Register of Deeds [Staff]



Starts Office

Starts Equis

EXISTING FLOOR PLAN
 1/4" = 1' - 0"
 1/8" = 1' - 0"
 1/16" = 1' - 0"
 1/32" = 1' - 0"
 1/64" = 1' - 0"
 1/128" = 1' - 0"
 1/256" = 1' - 0"
 1/512" = 1' - 0"
 1/1024" = 1' - 0"
 1/2048" = 1' - 0"
 1/4096" = 1' - 0"
 1/8192" = 1' - 0"
 1/16384" = 1' - 0"
 1/32768" = 1' - 0"
 1/65536" = 1' - 0"
 1/131072" = 1' - 0"
 1/262144" = 1' - 0"
 1/524288" = 1' - 0"
 1/1048576" = 1' - 0"
 1/2097152" = 1' - 0"
 1/4194304" = 1' - 0"
 1/8388608" = 1' - 0"
 1/16777216" = 1' - 0"
 1/33554432" = 1' - 0"
 1/67108864" = 1' - 0"
 1/134217728" = 1' - 0"
 1/268435456" = 1' - 0"
 1/536870912" = 1' - 0"
 1/1073741824" = 1' - 0"
 1/2147483648" = 1' - 0"
 1/4294967296" = 1' - 0"
 1/8589934592" = 1' - 0"
 1/17179869184" = 1' - 0"
 1/34359738368" = 1' - 0"
 1/68719476736" = 1' - 0"
 1/137438953472" = 1' - 0"
 1/274877906944" = 1' - 0"
 1/549755813888" = 1' - 0"
 1/1099511627776" = 1' - 0"
 1/2199023255552" = 1' - 0"
 1/4398046511104" = 1' - 0"
 1/8796093022208" = 1' - 0"
 1/17592186044416" = 1' - 0"
 1/35184372088832" = 1' - 0"
 1/70368744177664" = 1' - 0"
 1/140737488355328" = 1' - 0"
 1/281474976710656" = 1' - 0"
 1/562949953421312" = 1' - 0"
 1/1125899906842624" = 1' - 0"
 1/2251799813685248" = 1' - 0"
 1/4503599627370496" = 1' - 0"
 1/9007199254740992" = 1' - 0"
 1/18014398509481984" = 1' - 0"
 1/36028797018963968" = 1' - 0"
 1/72057594037927936" = 1' - 0"
 1/144115188075855872" = 1' - 0"
 1/288230376151711744" = 1' - 0"
 1/576460752303423488" = 1' - 0"
 1/1152921504606846976" = 1' - 0"
 1/2305843009213693952" = 1' - 0"
 1/4611686018427387904" = 1' - 0"
 1/9223372036854775808" = 1' - 0"
 1/18446744073709551616" = 1' - 0"
 1/36893488147419103232" = 1' - 0"
 1/73786976294838206464" = 1' - 0"
 1/147573952589676412928" = 1' - 0"
 1/295147905179352825856" = 1' - 0"
 1/590295810358705651712" = 1' - 0"
 1/1180591620717411303424" = 1' - 0"
 1/2361183241434822606848" = 1' - 0"
 1/4722366482869645213696" = 1' - 0"
 1/9444732965739290427392" = 1' - 0"
 1/18889465931478580854784" = 1' - 0"
 1/37778931862957161709568" = 1' - 0"
 1/75557863725914323419136" = 1' - 0"
 1/151115727451828646838272" = 1' - 0"
 1/302231454903657293676544" = 1' - 0"
 1/604462909807314587353088" = 1' - 0"
 1/1208925819614629174706176" = 1' - 0"
 1/2417851639229258349412352" = 1' - 0"
 1/4835703278458516698824704" = 1' - 0"
 1/9671406556917033397649408" = 1' - 0"
 1/19342813113834066795298816" = 1' - 0"
 1/38685626227668133590597632" = 1' - 0"
 1/77371252455336267181195264" = 1' - 0"
 1/154742504910672534362390528" = 1' - 0"
 1/309485009821345068724781056" = 1' - 0"
 1/618970019642690137449562112" = 1' - 0"
 1/1237940039285380274899124224" = 1' - 0"
 1/2475880078570760549798248448" = 1' - 0"
 1/4951760157141521099596496896" = 1' - 0"
 1/9903520314283042199192993792" = 1' - 0"
 1/19807040628566084398385987584" = 1' - 0"
 1/39614081257132168796771975168" = 1' - 0"
 1/79228162514264337593543950336" = 1' - 0"
 1/158456325028528675187087900672" = 1' - 0"
 1/316912650057057350374175801344" = 1' - 0"
 1/633825300114114700748351602688" = 1' - 0"
 1/1267650600228229401496703205376" = 1' - 0"
 1/2535301200456458802993406410752" = 1' - 0"
 1/5070602400912917605986812821504" = 1' - 0"
 1/10141204801825835211973625643008" = 1' - 0"
 1/20282409603651670423947251286016" = 1' - 0"
 1/40564819207303340847894502572032" = 1' - 0"
 1/81129638414606681695789005144064" = 1' - 0"
 1/162259276832213363391578010288128" = 1' - 0"
 1/324518553664426726783156020576256" = 1' - 0"
 1/649037107328853453566312041152512" = 1' - 0"
 1/1298074214657706907132624082305024" = 1' - 0"
 1/2596148429315413814265248164610048" = 1' - 0"
 1/5192296858630827628530496329220096" = 1' - 0"
 1/10384593717261655257060992658440192" = 1' - 0"
 1/20769187434523310514121985316880384" = 1' - 0"
 1/41538374869046621028243970633760768" = 1' - 0"
 1/83076749738093242056487941267521536" = 1' - 0"
 1/166153499476186484112975882535042672" = 1' - 0"
 1/332306998952372968225951751070085344" = 1' - 0"
 1/664613997904745936451903502140170688" = 1' - 0"
 1/132922799580949187290380700428341376" = 1' - 0"
 1/265845599161898374580761400856682752" = 1' - 0"
 1/531691198323796749161522801713365504" = 1' - 0"
 1/1063382396647593498323045603426731008" = 1' - 0"
 1/2126764793295186996646091206853462016" = 1' - 0"
 1/4253529586590373993292182413706924032" = 1' - 0"
 1/8507059173180747986584364827413848064" = 1' - 0"
 1/17014118346361495973168729654827696128" = 1' - 0"
 1/34028236692722991946337459309655392256" = 1' - 0"
 1/68056473385445983892674918619310784512" = 1' - 0"
 1/136112946770891967785349837238621568024" = 1' - 0"
 1/272225893541783935570699674477243136048" = 1' - 0"
 1/544451787083567871141399348954486272096" = 1' - 0"
 1/108890357416713574228279869790897254112" = 1' - 0"
 1/217780714833427148456559739581794508224" = 1' - 0"
 1/435561429666854296913119479163589016448" = 1' - 0"
 1/871122859333708593826238958327178032896" = 1' - 0"
 1/174224571866741718765247791665356065772" = 1' - 0"
 1/348449143733483437530495583330712131544" = 1' - 0"
 1/696898287466966875060991166661424263088" = 1' - 0"
 1/1393796574933933750121982333322848526176" = 1' - 0"
 1/2787593149867867500243964666645697052352" = 1' - 0"
 1/5575186299735735000487929333291394104704" = 1' - 0"
 1/11150372599471470000975858666582788201408" = 1' - 0"
 1/22300745198942940001951717333165576402816" = 1' - 0"
 1/44601490397885880003903434666331152805632" = 1' - 0"
 1/89202980795771760007806869332662305611264" = 1' - 0"
 1/1784059615915435200156137386653246112224" = 1' - 0"
 1/3568119231830870400312274773306492224448" = 1' - 0"
 1/7136238463661740806244549546612944448896" = 1' - 0"
 1/1427247692732348161248909909322588897792" = 1' - 0"
 1/2854495385464696322497819818645177795584" = 1' - 0"
 1/5708990770929392644995639637290355591168" = 1' - 0"
 1/11417981541858785299991279274580711182336" = 1' - 0"
 1/22835963083717570599982558549161422364672" = 1' - 0"
 1/45671926167435141199965117098322844729344" = 1' - 0"
 1/91343852334870282399930234196645689458688" = 1' - 0"
 1/182687704669740564799860468393291389177376" = 1' - 0"
 1/365375409339481129599720936786582778354752" = 1' - 0"
 1/73075081867896225919944187357316555670944" = 1' - 0"
 1/146150163735792451839888374714633111341888" = 1' - 0"
 1/292300327471584903679776749429266222683776" = 1' - 0"
 1/584600654943169807359553498858532445367552" = 1' - 0"
 1/1169201309886339614719106997717064890735104" = 1' - 0"
 1/2338402619772679229438213995434129781470208" = 1' - 0"
 1/4676805239545358458876427990868259562940416" = 1' - 0"
 1/9353610479090716917752855981736519125880832" = 1' - 0"
 1/18707220958181433835505711963473038251761664" = 1' - 0"
 1/374144419163628676710114239269460765035232" = 1' - 0"
 1/748288838327257353420228478538921530070464" = 1' - 0"
 1/1496577676654514706840456977077843060140928" = 1' - 0"
 1/2993155353309029413680913954155686120281952" = 1' - 0"
 1/598631070661805882736182790831137224056384" = 1' - 0"
 1/1197262141323611765472365581662274448112768" = 1' - 0"
 1/2394524282647223530944731163324548896225536" = 1' - 0"
 1/4789048565294447061889462326649097792451072" = 1' - 0"
 1/9578097130588894123778924653298195584902144" = 1' - 0"
 1/19156194261177788247557849306596391169804288" = 1' - 0"
 1/38312388522355576495115698613192782339608576" = 1' - 0"
 1/76624777044711152990231397226385564679217152" = 1' - 0"
 1/15324955408942230598046279445277112935843424" = 1' - 0"
 1/30649910817884461196092558890554225871686848" = 1' - 0"
 1/61299821635768922392185117781108451743373696" = 1' - 0"
 1/122599643271537844784370235562216903486747904" = 1' - 0"
 1/24519928654307568956874047112443380697349408" = 1' - 0"
 1/49039857308615137913748094224886761394698816" = 1' - 0"
 1/98079714617230275827496184449773522789397632" = 1' - 0"
 1/196159429244460551654992368999547045578795648" = 1' - 0"
 1/392318858488921103309984737999094091157591376" = 1' - 0"
 1/78463771697784220661996947599818818231518272" = 1' - 0"
 1/15692754339556844132399389519963763646303544" = 1' - 0"
 1/31385508679113688264798779039927527292607088" = 1' - 0"
 1/62771017358227376529597558079855054585214176" = 1' - 0"
 1/12554203471645475305919511615971010917042832" = 1' - 0"
 1/25108406943290950611839023231942021834085664" = 1' - 0"
 1/50216813886581901223678046463884043668171296" = 1' - 0"
 1/100433627773163802447356092927768087336342592" = 1' - 0"
 1/200867255546327604894712185855536174672685184" = 1' - 0"
 1/401734511092655209789424371711072349345370368" = 1' - 0"
 1/803469022185310419578848743422144698690740736" = 1' - 0"
 1/1606938044370620839157737486844293973781481504" = 1' - 0"
 1/3213876088741241678315474973688587947562963008" = 1' - 0"
 1/6427752177482483356630949947377175915251926016" = 1' - 0"
 1/1285550435496496671326189989475435183050385232" = 1' - 0"
 1/2571100870992993342652379978950870366100770464" = 1' - 0"
 1/514220174198598668530475995790174073220152912" = 1' - 0"
 1/1028440348397197337060951991580348146440305824" = 1' - 0"
 1/2056880696794394674121903983160696292880611648" = 1' - 0"
 1/4113761393588789348243807966321392585761227008" = 1' - 0"
 1/8227522787177578696487615932642785171522454016" = 1' - 0"
 1/1645504557435515739297523186528557034304490832" = 1' - 0"
 1/3291009114871031478595046373057114068608976664" = 1' - 0"
 1/6582018229742062957190092746114288137321933296" = 1' - 0"
 1/1316403645948412591438018549222857674644386656" = 1' - 0"
 1/2632807291896825182876037098445715392888773312" = 1' - 0"
 1/5265614583793650365752074196891427785777546624" = 1' - 0"
 1/10531229167587300731504148393782855571555093472" = 1' - 0"
 1/21062458335174601463008296787565711143110186944" = 1' - 0"
 1/42124916670349202926016593575131422286220373888" = 1' - 0"
 1/84249833340698405852033187150262844572440747776" = 1' - 0"
 1/168499666801396811704066374300525689144881495552" = 1' - 0"
 1/33699933360279362340813274860105138288976991104" = 1' - 0"
 1/67399866720558724681626549720210276577953982208" = 1' - 0"
 1/134799733441117449363253099440420553155907964416" = 1' - 0"
 1/269599466882234898726506198880841106311815928832" = 1' - 0"
 1/539198933764469797453012397761682212622338577664" = 1' - 0"
 1/107839786752893959490602479552336445244467135328" = 1' - 0"
 1/215679573505787918981204959104672890488934670656" = 1' - 0"
 1/431359147011575837962409918209345780977869341312" = 1' - 0"
 1/862718294023151675924819836418695761955738682624" = 1' - 0"
 1/1725436588046303351849639672837391523911473652288" = 1' - 0"
 1/3450873176092606703699279345674783047822947304576" = 1' - 0"
 1/6901746352185213407398558691349566095645894609152" = 1' - 0"
 1/13803492704370426814797117382699132112917889218304" = 1' - 0"
 1/27606985408740853629594234765398264225835778436608" = 1' - 0"
 1/55213970817481707259188469530796528451671556873216" = 1' - 0"
 1/11042794163496341451837693906159305690334313746432" = 1' - 0"
 1/22085588326992682903675387812318611380668627492864" = 1' - 0"
 1/44171176653985365807350775624637222761337254985728" = 1' - 0"
 1/88342353307970731614701551249274445522674509971456" = 1' - 0"
 1/176684706615941463229403102498548891045349119542912" = 1' - 0"
 1/353369413231882926458806204997097820090698239085824" = 1' - 0"
 1/706738826463765852917612409994195640181396478171648" = 1' - 0"
 1/141347765292753170583522481998839128036279295634336" = 1' - 0"
 1/282695530585506341167044963997678256072558591268672" = 1' - 0"
 1/565391061171012682334089927995356512145117182537344" = 1' - 0"

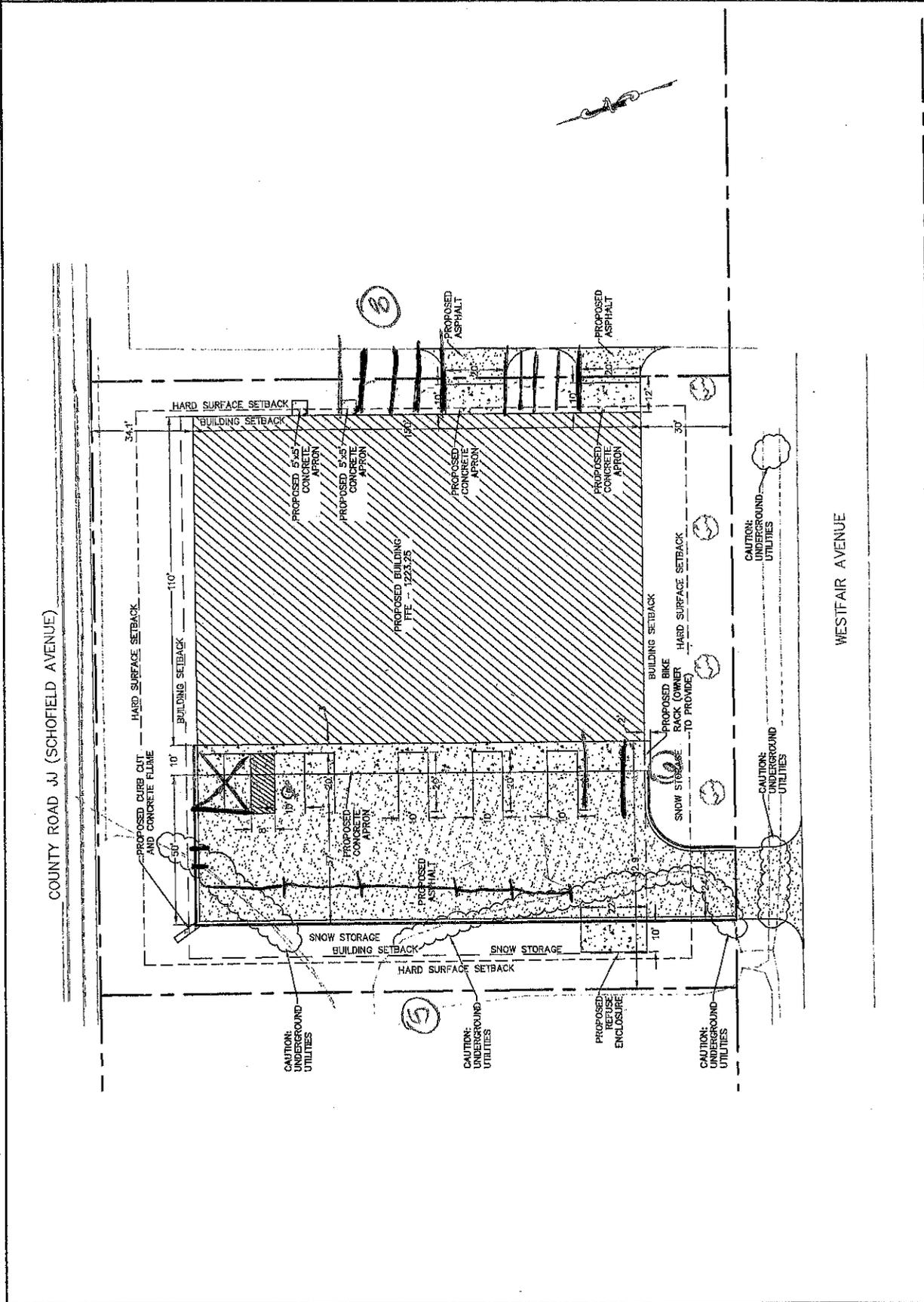
MARATHON TECHNICAL SERVICES LLC
 CONSULTING ENGINEERS
 1699 SCHOFIELD AVE - SCHOFIELD, WI 54476
 PHONE - (715)843-7292
 WWW.MTSLLC.NET

REVISION DATE
 07-20-2023
 07-21-2023

SURVEYED: PRLCO
 DESIGNED: MTS
 DRAWN BY: NSB
 APPROVED: MWT

PROPOSED SITE PLAN
 TA HOFFMAN
 6408 WESTFAIR AVENUE, WESTON

SCALE
 1" = 30'
 SHEET NO.
 3



COUNTY ROAD JJ (SCHOFIELD AVENUE)

WESTFAIR AVENUE

Turf MD's
5408 Westfair Ave #4-5
Weston, WI 54476
715-846-5075
turfmds.com

Application Date: 9/7/2024

Proposed Date of Opening: soon

Contact Info: Scott Sann, PO BOX 165 Wausau, WI 54402, 715-846-5075,
turfmdx2@gmail.com

Property Owner: Travis Hoffman, 715-551-6643

Description of Business Activities: Landscaping company, lawn services such as fertilizing and mowing. Landscaping to include plants and hardscaping. Snow removal in Winter

Operation Days M-F 7am-5pm

8 employees year round status, 6 more employees seasonally, 4 employee cars on the street and 11 in the lot.

2 pick ups with trailers parked inside, as well as 2 light duty dump trucks (1 ton not full size). Skidsteer and other equipment parked inside as well.

3 pick ups with enclosed trailers parked in SE corner of lot near building.

No customer seating

5500 sqft of business space mainly storage of materials and equipment. Small office space

Deliveries are seldom, mainly small delivery truck 5-10 times per year

No out door storage.

All waste materials such as grass clippings, debris, sticks/branches and rock are taken to an offsite approved dumping site and paid for by turf mds.

No storage of bulk salt as it is picked up off site. 1-2 pallets of ice melt stored inside throughout winter.

Dumpsters are provided by landlord

CONDITIONAL USE PERMIT
SUPPLEMENTAL REVIEW CRITERIA
VILLAGE OF WESTON



The following questions are a Comparison of Proposed Conditional Use with Required Review Criteria (complete below or on an attached sheet as needed). Thorough and complete answers assist Staff and Commissioners in review the application and reaching a determination. If you have questions with these questions, please contact staff at plandev@westonwi.gov or (715)241-2613. The Zoning Code and Comprehensive Plan can be found online at the Village's Website.

1. Is the proposed conditional use consistent with the purposes, goals, objectives, policies and standards of the Village of Weston Comprehensive Plan; zoning ordinance; and all other plans, program and ordinances adopted or under consideration? Explain how, or why not. (Consult with Zoning Administrator as necessary on applicable plans.)

yes

-
2. Does the proposed conditional use in this location, as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, the natural environment, traffic, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or all other plans, programs, map, and ordinances adopted by the Village? Explain how, or why not.

No

-
3. Does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environments of the subject property? How?

yes

-
4. Is the proposed conditional use located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property? Explain how this has been evaluated.

yes

-
5. Do the potential public benefits of the proposed conditional use outweigh potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts? Explain how.

yes

VILLAGE OF WESTON, MARATHON COUNTY, WI
CONDITIONAL USE PERMIT #20240290

This CONDITIONAL USE PERMIT is issued as of 14th day of October 2024, by the PLAN COMMISSION of the VILLAGE OF WESTON to SCOTT SANN of 5408 Westfair Avenue, Suites 4-5, Weston, WI 54476.

WHEREAS, SCOTT SANN is the owner of the property described below in the Village of Weston, and which property is subject to an agreement whereby SCOTT SANN intends to conduct a LIGHT INDUSTRIAL USE IN THE B-3 – GENERAL BUSINESS Zoning District. The said property upon which said activity is to take place is more particularly described as follows:

WESTON COMMERCIAL PARK PT OF LOTS 1 2 & 3 BLK 4 LOT 2 CSM VOL 79 PG 36 (#16835)(DOC #1672395)

WHEREAS, the property described above is in the B-3 Zoning District of the Village of Weston, which permits the LIGHT INDUSTRIAL USE in said zoning district by conditional use permit; and

WHEREAS, SCOTT SANN has requested a conditional use permit for the property, per Section 94.4.08(1) Light Industrial of the Village of Weston Zoning Ordinance, so as to allow a LIGHT INDUSTRIAL USE on said premise; and

WHEREAS, a petition for a conditional use permit having been duly filed with the Village Zoning Administrator, and placed on the Plan Commission agenda after first being assured by Village professional staff review that the application is complete, and following staff review and Plan Commission review, investigation and a public hearing which was held October 14, 2024, the Plan Commission after giving full consideration to the criteria and standards for granting a conditional use permit, as set forth in the Village Ordinance, including Section 94.16.06, approve said application in writing; and

WHEREAS, upon the discontinuance of the LIGHT INDUSTRIAL use on said premise for a period exceeding 365 days, the issuance of the conditional grant shall automatically become invalidated. The burden of proof shall be on the property owner to conclusively demonstrate that the conditional use was operating during this period; and

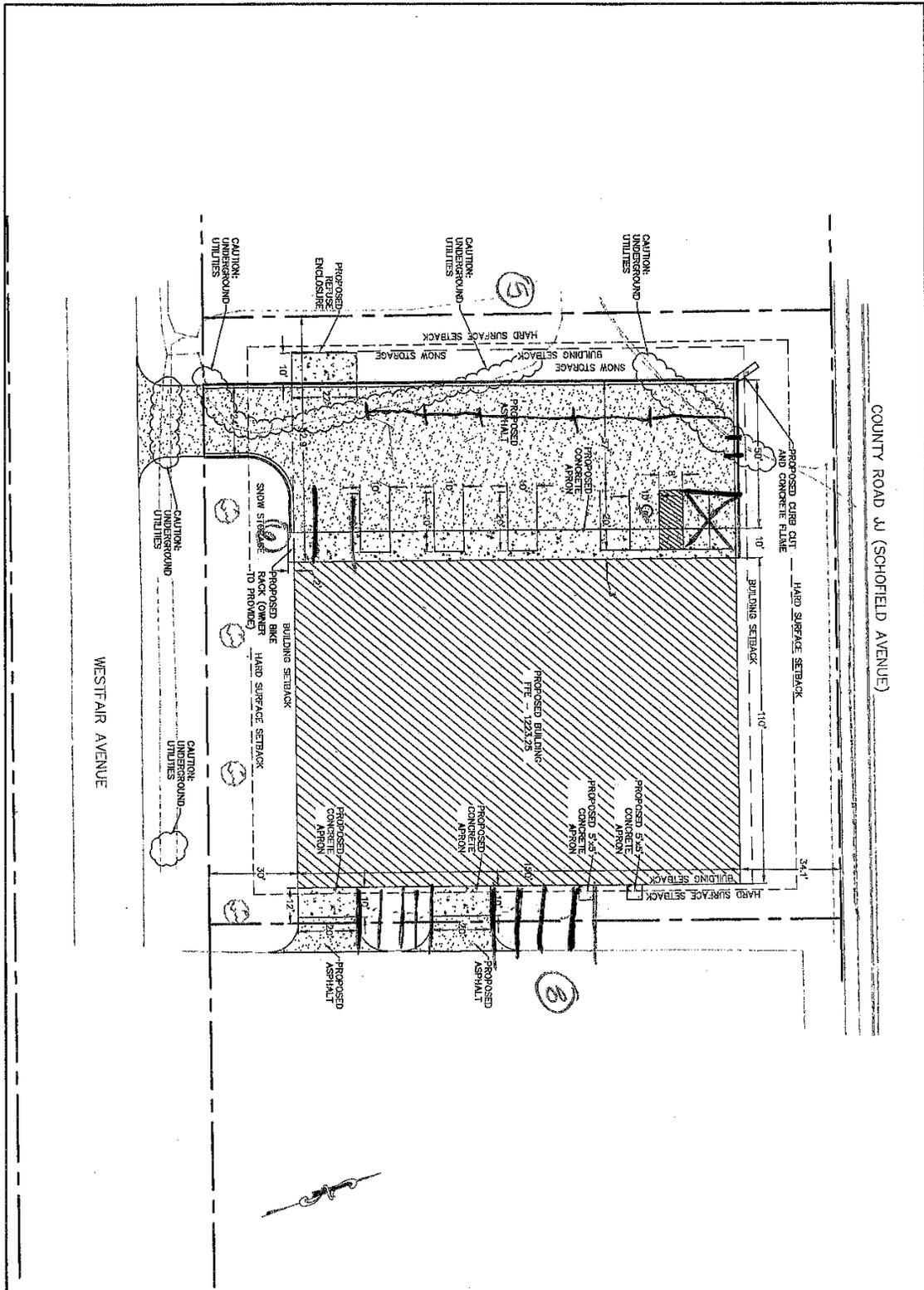
WHEREAS, all requirements of the approved conditional use permit shall be continued regardless of ownership of the subject property and shall run with the land, except where limited by the zoning code or by a specific condition attached to this conditional use grant herein.

NOW, THEREFORE, BE IT RESOLVED, the PLAN COMMISSION of the Village of Weston, in Marathon County, Wisconsin, hereby grants SCOTT SANN a conditional use permit for the property described above, for a LIGHT INDUSTRIAL USE as defined in 94.4.08(1) of the Village Zoning Ordinance. The conditions for the issuance of the conditional use permit are as follows:

1. The use and construction of the structure shall be consistent with the plans as submitted and as shown in “Exhibit A”.
2. Any changes to the use, structure, or location as submitted as “Exhibit A”, shall require submittal of a new Conditional Use Permit application.
3. Outdoor storage is prohibited on site.
4. Loading and unloading are prohibited in the required front yard.
5. A maximum of 14 outdoor onsite parking spaces are available for the business in addition to the indoor parking available within the suites.
6. Any proposed business expansion which results in the need for additional parking (increase to number of employees or physical expansion of space) must come through an Amendment to the Conditional Use Permit.
7. No use is hereby authorized unless the use is conducted in a lawful, orderly, and peaceful manner. Nothing herein shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption, or exception to any law, ordinance, order or rule by the Village, Marathon County, State of Wisconsin, United States or other duly constituted authority, except only to the extent that it authorizes the use of the Subject Property in any specific respects described herein.

Exhibit A





COUNTY ROAD W (SCHOFIELD AVENUE)

WESTFAIR AVENUE

3	SCALE 1" = 30'	PROPOSED SITE PLAN TA HOFFMAN 5408 WESTFAIR AVENUE, WESTON	SURVEYED: PRLCO DESIGNED: MTS DRAWN BY: NSB APPROVED: MWT	REVISION DATE 07-24-2023 07-24-2023	MARATHON TECHNICAL SERVICES LLC CONSULTING ENGINEERS 1899 SCHOFIELD AVE - SCHOFIELD, WI 54476 PHONE - (715)843-7292 WWW.MTSLLC.NET
	SHEET NO.				



Application for Conditional Use Permit
**CONDITIONAL PERMIT DETERMINATION BY THE VILLAGE OF WESTON
PLAN COMMISSION**

Application/Petition No.: **20240290** Hearing Date: **October 14, 2024**
Applicant: **Scott Sann DBA Turf MD's, PO Box 165, Wausau, WI 54402**
Location: **5408 Westfair Avenue, Suites 4-5, Weston, WI 54476**
Description: **A conditional use permit application to allow a light industrial use (landscape contractor) in the B-3 General Business zoning district.**

The Department of Planning and Development of the Village of Weston, pursuant to the Village of Weston Zoning Code, Article 16 Procedures and Administration, Section 94.16.06 Conditional Use Permits, hereby makes the following findings and evaluation to the Village of Weston Plan Commission:

GENERAL INFORMATION:

Zoning: **B-3 General Business**

Definition: The B-3 district accommodates a wide range of commercial uses, along with compatible wholesale, 94.2.02(3)(d) light industrial, and outdoor storage and display uses. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping (i) along major highway corridors; (ii) outside of the Village's neighborhood areas; and (iii) in areas planned for commercial uses, and occasionally in areas planned for industrial uses, within the Comprehensive Plan. (Predecessor district B-3 General Commercial)

Definition: **Light Industrial.** Industrial facilities, manufacturing operations, and contractor shops at which all 94.4.08(1) operations are conducted entirely within an enclosed building, with the exception of fully screened outdoor storage and loading operations. Light industrial facilities are those which are not associated with nuisances such as odor, noise, heat, vibration, and radiation detectable at the property line and which do not pose a significant safety hazard such as danger of explosion. A "Light Industrial" land use may conduct retail sales activity as an accessory use in accordance with the requirements of Section 94.4.09(13). Landscape contractors and indoor aquaculture uses, which include the farming of aquatic organisms (plants and animals) under controlled conditions that are located entirely within an enclosed building and utilize recirculating (closed) system technology (including aquaponics), are considered "Light Industrial" uses. Primary food processing activities involving the processing of cabbage, fish and fish products, and meat products shall be considered and regulated as "Heavy Industrial" land uses. Breweries, distilleries, wineries, and coffee roasters that exceed one or more limitations of the "Micro-beverage Production Facility" land use are considered "Light Industrial" uses. Crematoriums shall be considered "Heavy Industrial" uses, except where accessory to a funeral home and where serving only customers of the funeral home.

Performance Standards:

1. All activities shall be conducted entirely within the confines of a building, except for parking, circulation, loading and unloading, and fully screened outdoor storage.
2. All outdoor storage areas shall be completely enclosed by any permitted combination of buildings, structures, walls, natural vegetation or earthen berm and/or fencing. Such walls, vegetation, berms or fencing shall be designed to completely screen all stored materials from view rights-of-way, up to the maximum fence heights allowed under Section 94.12.03. Violations will be enforced under the procedures outlined in Sec. 94.16.19.
3. No loading, unloading, or storage shall be permitted in the minimum required front yard.
4. A bufferyard meeting the requirements of Section 94.11.02(3)(d) shall be provided along all property borders abutting residentially zoned property.
5. The use shall comply with all of the performance standards in Article 12.
6. For indoor aquaculture uses, the following additional performance standards shall apply:

- a. Indoor aquaculture operations shall be connected to the municipal water and sanitary sewer system and all wastewater shall be discharged to the municipal sanitary sewer system.
 - b. Applicants wishing to establish indoor aquaculture operations shall prepare and submit a report outlining the estimated average daily water usage and quantity of wastewater discharge.
 - c. On-site processing of seafood is permitted, provided the activity is conducted entirely within an enclosed building and no odors are detectable from the property line.
 - d. The on-site retail sale of seafood or vegetables shall be considered an "Indoor Sales Incidental to Storage or Light Industrial Land Use" subject to the provisions of Section 94.4.09(13).
 - e. On-site composting shall be permitted, provided compost areas are fully screened on all four sides and comply with all county, state, and federal rules, regulations, and permitting requirements.
- 7. New Light Industrial development within the AR and RM zoning districts shall be served by public sanitary sewer and water services.
 - 8. Minimum Required Off-Street Parking: One space per each employee on the largest work shift.

DETERMINATION (To be completed by the Plan Commission):

- 1. Is the proposed conditional use consistent with the Comprehensive Plan, this Chapter, and all other plans, programs, and ordinances adopted by the Village
- 2. The proposed conditional use, in its proposed location and as depicted on the required site plan, will not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or all other plans, programs, and ordinances adopted by the Village.
- 3. Does the proposed conditional use will maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
- 4. Is the proposed conditional use located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by public agencies serving the subject property.
- 5. Do the potential public benefits of the proposed conditional use outweigh potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.

BACKGROUND INFORMATION:

Scott Sann owns and operates Turf MD's. Turf MD's is a landscape company which provides services including commercial and residential law service and maintenance, hardscape maintenance, and snow removal. He is proposing to locate the operations center of his business to Suites 4 and 5 of 5408 Westfair Avenue. The suites are approximately 5,500 square feet in size with a small indoor office space. The building will house landscaping materials and contains indoor parking. All lawn fertilizers and associated materials will be stored inside. The business will operate Monday through Friday from 7:00 a.m. to 5:00 p.m. There are eight year-round employees and six seasonal employees.

CURRENT PROPERTY CONDITIONS:

The subject property is 1.007 acres and a multi-tenant commercial building exists on site. The applicant would occupy Suites 4 and 5 which together are approximately 5,500 square feet.

PLAN COMMISSION ACTION OPTIONS:

1) Approve the Conditional Use Permit at 5408 Westfair Avenue, Suites 4-5, with the following conditions:

1. The use and construction of the structure shall be consistent with the plans as submitted and as shown in "Exhibit A".
2. Any changes to the use, structure, or location as submitted as "Exhibit A", shall require submittal of a new Conditional Use Permit application.
3. Outdoor storage is prohibited on site.
4. Loading and unloading are prohibited in the required front yard.
5. A maximum of 14 outdoor onsite parking spaces are available for the business in addition to the indoor parking available within the suites.
6. Any proposed business expansion which results in the need for additional parking (increase to number of employees or physical expansion of space) must come through an Amendment to the Conditional Use Permit.
7. No use is hereby authorized unless the use is conducted in a lawful, orderly, and peaceful manner. Nothing herein shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption, or exception to any law, ordinance, order or rule by the Village, Marathon County, State of Wisconsin, United States or other duly constituted authority, except only to the extent that it authorizes the use of the Subject Property in any specific respects described herein.
8. Should any paragraphs or phase of herein be determined by a court of competent jurisdiction to be unlawful, illegal, or unconstitutional, said determination as to the particular phrase or paragraph shall not void the remainder of this conditional use and the remainder shall continue in full force and effect.

2) Deny the Conditional Use Permit at 5408 Westfair Avenue, Suites 4-5.